

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

**Swatee N. SURVE**

Serial No.: 10/077,548

Filed: February 14, 2002

For: DEPOSITION OF ELECTRONIC CIRCUITS  
ON FIBERS AND OTHER MATERIALS

Atty. Docket No.: 005127.00138

Group Art Unit: 3765

Examiner: R. Muromoto, Jr.

Confirmation No.: 3233

**SECOND REQUEST FOR REINSTATEMENT OF APPEAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed March 2, 2006, Applicant respectfully asks for reinstatement of the appeal in this application initiated with the Notice Of Appeal filed on October 4, 2004.

Claims 1-25 are pending in the application, with claims 1 and 12 being independent claims. In a first Office Action dated December 22, 2003, the Examiner rejected claims 1-25. Subsequently, in a final Office Action dated June 2, 2004, the Examiner rejected each of claims 1-25 based upon the original grounds of rejection. Appellant appealed the rejection of these claims on October 4, 2004, and filed an Appeal Brief in support of this appeal on February 4, 2005.

In response, the Examiner withdrew the finality of the Office Action dated June 2, 2004, and issued a new Office Action on May 3, 2005. This new Office Action, however, maintains the previous rejection of claims 1, 4-12, 14-22, 24 and 25 without change. Instead, the Examiner issued new grounds of rejection only for claims 3, 13 and 23. Applicant then submitted a supplemental Appeal Brief on August 3, 2005, addressing the new rejections set forth in the Office Action dated May 3, 2005. In response, the Examiner issued yet another Office Action on

March 2, 2006, again based on art which was already of record. Accordingly, Applicant is concurrently filing a second supplemental Appeal Brief in response to this latest Office Action.

Accordingly, Applicant requests that the Appeal in this application be reinstated. In support of this request, Applicant is concurrently submitting a Second Supplemental Appeal Brief addressing the new grounds of rejection presented in the Office Action of March 2, 2005, together with a Petition for a two month extension of time.

If the Commissioner deems it necessary for Applicant to submit a new Notice Of Appeal in order to obtain entry and consideration of the concurrently filed Supplemental Appeal Brief, it is respectfully requested that the Commissioner alternately treat this Request as a new Notice Of Appeal in this application.

It is believed that no fees are required for the consideration and entry of either this Request or the associated Supplemental Appeal Brief. If, however, the Commissioner deems that any fees are required for the consideration and entry of this request or the associated Supplemental Appeal Brief (or to otherwise maintain the pendency of this application), including any fees under 37 C.F.R. §1.16 and §1.17, the Commissioner is authorized to charge such fees to Deposit Account No. 19-0733.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: August 2, 2006

By:

  
Thomas L. Evans, Reg. No. 35,805

1001 G Street, N.W.  
Washington, D.C. 20001-4597  
Tel: (202) 824-3000  
Fax: (202) 824-3001